

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY  D.C.

05 DEC -7 PM 2:19

JACOB RHODES, et al.,

Plaintiffs,

vs.

SUSAN WALLACE, HENDERSON  
COUNTY BOARD OF EDUCATION,

Defendants.

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No. 1:04-1191 T/P

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENNESSEE


ORDER DENYING DEFENDANT SUSAN WALLACE'S MOTION TO QUASH NOTICE TO  
TAKE DEPOSITION OF SUSAN WALLACE

Before the court is defendant Susan Wallace's Motion to Quash Notice to Take Deposition of Susan Wallace, filed October 14, 2005 (dkt #54). Plaintiff filed his response on November 2, 2005.<sup>1</sup> On November 21, 2005, the court held a hearing on this motion. Counsel for all parties were present and heard. The court, having fully considered the arguments of counsel and the memoranda of law, DENIES defendant's motion to quash. On September 8, 2005, the court denied Wallace's motion for protective order staying discovery until sometime after the conclusion of her parallel

<sup>1</sup>Plaintiff Bryan Mooney, in a related case (civ. no. 1:04-1190 T/P), also filed an identical response in opposition to the motion to quash, although it does not appear from the record that Wallace filed a motion to quash in the Mooney case. However, because Wallace is a defendant in four other related cases, this order applies to discovery of Wallace in those related cases.

criminal case. This court finds that any further stay, including a further delay of Wallace's deposition, may prejudice the plaintiffs in prosecuting their cases (which were filed in July 2004). The grounds for a further stay of Wallace's deposition, cited in her motion and raised at the November 21 hearing, are not well taken and do not justify a continued delay of her deposition.

IT IS SO ORDERED.

  
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TU M. PHAM  
United States Magistrate Judge  
December 7, 2005  
\_\_\_\_\_  
Date



## Notice of Distribution

This notice confirms a copy of the document docketed as number 70 in case 1:04-CV-01191 was distributed by fax, mail, or direct printing on December 7, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT